

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RANSOM YOUNG,

Plaintiff,

v.

BRIAN KISENWETHER, Individually and
as Butler Township Supervisor;

CHARLES ALTMILLER, Individually and
as Butler Township Supervisor; and

BUTLER TOWNSHIP

Defendants.

CIVIL ACTION NO. 3:12-0379

(JUDGE CAPUTO)

ORDER

NOW, this 10th day of August, 2012, **IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss Plaintiff's First Amended Complaint (Doc. 12) is **GRANTED in part and DENIED in part**.

- (1) Defendants' motion to dismiss Plaintiff's due process claims, Counts II and III of the First Amended Complaint, and the request for punitive damages against Defendants Kisenwether and Altmiller in their official capacities is **GRANTED**. These claims are **dismissed with prejudice**.
- (2) Defendants' motion to dismiss is otherwise **DENIED**. Defendants shall file a response to Plaintiff's First Amended Complaint within **twenty-one (21) days** from the date of entry of this Order.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge